

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

JOE HAND PROMOTIONS, INC.,

Plaintiff,

v.

No. 14-1058

JAMES R. GIEGER, Individually, and
d/b/a CARDINAL SPORTS GRILL,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter, brought on March 17, 2014, was initially assigned to Magistrate Judge Edward G. Bryant. (Docket Entries (“D.E.”) 1, 2.) Plaintiff, Joe Hand Promotions, Inc., who has attempted to serve the Defendant on numerous occasions, was granted five extensions of time to effect service of process. (D.E. 6–15.) On May 19, 2015, after again failing to serve the Defendant, Magistrate Judge Bryant ordered the Plaintiff to show cause as to why the case should not be dismissed for failure to prosecute. (D.E. 16.) In its response, Plaintiff summarized the efforts it had undertaken in attempting to serve the Defendant, a long-haul trucker who no longer resides in West Tennessee. (D.E. 17.) In a June 4, 2015 report and recommendation, Magistrate Judge Bryant recommended that the matter be dismissed without prejudice for failure to comply with the time limit set forth in Rule 4(m) of the Federal Rules of Civil Procedure. (D.E. 18.)

The Court has reviewed the Magistrate Judge’s report and recommendation, and the entire record of the proceeding. No objections having been filed, and the time for doing so having expired, the Court ADOPTS the report and recommendation in its entirety. This matter is hereby

DISMISSED without prejudice.

IT IS SO ORDERED this 25th day of June, 2015.

s/ J. DANIEL BREEN

CHIEF UNITED STATES DISTRICT JUDGE